

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA**

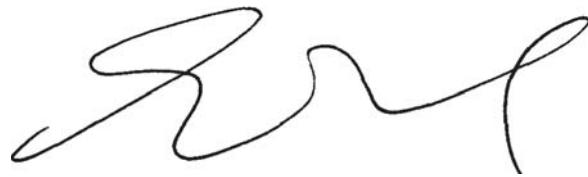
In re:	:	Chapter 7
ERIK CHARLES BATIPPS and	:	
SARAH HELEN BATIPPS,	:	
Debtors.	:	Bky. No. 10-31221 ELF
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MARVIN KRASNY, Chapter 7 Trustee for the Estate	:	
of Erik Charles Batipps and Sarah Helen Batipps,	:	
Plaintiff,	:	
5.	:	
DEUTSCHE BANK NATIONAL TRUST COMPANY, : Adv. No. 11-0450		
as Indenture Trustee, on Behalf of the Holders	:	
of the Accredited Mortgage Loan Trust 2005-4	:	
Asset Backed Notes, by and through its Loan	:	
Servicing Agent, Select Portfolio Servicing, Inc.,	:	
Defendant.	:	
	:	

O R D E R

AND NOW, upon consideration of the Defendant's Motion to Dismiss Complaint ("the Motion"), the Plaintiff's response thereto, and for the reasons set forth in the accompanying Memorandum,

It is hereby **ORDERED** that:

1. The Motion is **GRANTED IN PART AND DENIED IN PART**.
2. **COUNT I** of the Complaint is **DISMISSED**.
3. In all other respects, the Motion is **DENIED**.
4. The Defendant shall file an answer to the Complaint **on or before January 3, 2012**.



Date: December 13, 2011

ERIC L. FRANK
U.S. BANKRUPTCY JUDGE